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RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1600**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: S. Smeekens et al. Attorney Docket No. ARNO114646  
Application No.: 09/423,575 Group Art Unit: 1637  
Filed: January 27, 2000 Examiner: S. Chunduru  
Title: PLANT GENE CONSTRUCTS AND THEIR USE

NOTICE OF APPEAL

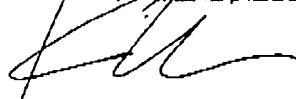
TO THE COMMISSIONER FOR PATENTS:

Applicants, through the undersigned attorneys of record, hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 14, 2003, finally rejecting Claims 1-4 in the above-identified application.

The Commissioner is hereby authorized to charge the amount of \$330.00 for the notice of appeal fee to Deposit Account No. 03-1740.

Respectfully submitted,

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I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1637, Examiner Suryaprabha Chunduru, at facsimile number 703.872.9307, on October 14, 2003.

Date: 10/14/2003

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